

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. William Ahman on 3/24/2010.

The application has been amended as follows:

1. (Currently Amended) A method comprising:
generating ~~[[an]]~~ by a license server a text-based activation code based on information obtained from a playback device;
~~providing,~~ in a closed content distribution system including the playback device and a secure processor that is coupled to the playback device such that the secure processor can enable execution or presentation of content on the playback device,
receiving an SMS text message that includes license information in the form of the text-based activation code ~~that is small enough for a human to conveniently enter, the closed content distribution system including the playback device and a secure processor, wherein the SMS message is sent via a communication link not including the playback device or secure processor, wherein, in operation, at least part of the SMS message is communicated to the playback device by a recipient of the SMS message~~

Art Unit: 2439

human who receives the SMS message and enters the text-based activation code in an input console coupled to the playback device;

constructing, at the playback device, license parameters including a device ID, a content ID, and a rights code identified by the text-based activation code, wherein the playback device or the secure processor, or both in combination or conjunction, are associated with the device ID;

using at least part of the SMS text message as a signature to authenticate the constructed license parameters, wherein at least part of the text-based activation code is used as the cryptographic signature generated using a private key of a public key cryptographic key pair;

allowing content identified by the content ID to be executed or presented by the playback device or the secure processor, or by both in combination or conjunction in accordance with verification of the constructed and authenticated license parameters, wherein the verification is performed by execution of a mandatory security software by the secure processor, including: playback device or the secure processor, or both in combination or conjunction, are associated with the device ID;

authenticating a specific content element, a specific playback device or secure processor, and a specific user;

comparing the device ID with a tamper-proof identity available to the playback device or the secure processor, or to both in combination or conjunction;

comparing rights information with an identity of selected content available to the playback-device or the secure processor, or to both in combination or conjunction;

computing a secret key using a private key of the secure processor and a public key of the license server;

decrypting the identities using the secret key;

verifying a signature by the license server;

ensuring that use by the specific user of the specific content element with the specific rights information associated with the rights code is enforced by the

Art Unit: 2439

playback device or secure processor, or by both in combination or conjunction, is in accordance with the license information.

36. (Currently Amended) A method comprising:

generating by a license server a text-based activation code based on information obtained from a playback device;

providing, in a closed content distribution system, including the playback device and a secure processor, the secure processor effectively coupled to the playback device, with the effect that the secure processor can execute the content or control the playback device to present the content, an SMS text message that includes license information in the form of the text-based activation code, wherein the SMS message is sent via a communication link not including the playback device or secure processor, wherein, in operation, at least part of the SMS message is communicated to the playback device by a human who receives the SMS message and enters the text-based activation code in an input console connected to the playback device;

constructing, at the playback device, license parameters including a device ID, a content ID, and a rights code identified by the text-based activation code, wherein the playback device or the secure processor, or both in combination or conjunction, are associated with the device ID;

using at least part of the SMS text message as a signature to authenticate the constructed license parameters, wherein at least part of the text-based activation code is used as the cryptographic signature generated using a private key of a public key cryptographic key pair;

allowing content identified by the content ID to be executed by the secure processor or presented by the playback, or by both in combination or conjunction in accordance with verification of the constructed and authenticated license parameters, wherein the verification is performed by execution of a mandatory security software by the secure processor, which performs:

Art Unit: 2439

authenticating a specific content element, a specific playback device or secure processor, and a specific user;

enforcing comparison of the device ID with a tamper-proof identity available to the playback device or the secure processor, or to both in combination or conjunction;

enforcing comparison of rights information with an identity of selected content available to the playback-device or the secure processor, or to both in combination or conjunction;

enforcing computation of a secret key using a private key of the secure processor and a public key of the license server, and decryption of the identities using the secret key;

enforcing verification of a signature of the license server; and

ensuring that the specific user uses the specific content with the specific playback device or the secure processor, or by both in combination or conjunction in accordance with the license information.

Claims 25-35, 69-90, 96 and 97 are cancelled.

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
3. Claims 22-35, 66-90, 96, and 97 have been cancelled by the applicant. No new claims are added.
4. Claims 1-21, 36-65, and 91-95, now re-numbered as claims 1-56 are pending.

Response to Arguments

6. Applicant's argument relative to prior art rejection in light of the amendments noted by this action, and the telephone interview conducted on 3/25/2010 have been found persuasive (please see the attached Interview Summary).

Allowable Subject Matter

7. Amended claims 1-21, 36-65, and 91-95, now re-numbered as claims 1-56 are allowed.

Examiner's Statement of Reasons for Allowance

8. The following is an examiner's statement of reasons for allowance:

All allowed claims are, at least, tied with a playback device, which presents the content. Therefore, all claims are directed to allowable subject matter.

All allowed claims include the features of amended independent claims 1 and 36. None of the prior art of record, either taken by itself or in any combination, would have anticipated or made obvious the invention of the present application at or before the time it was filed.

Conclusion

9. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farid Homayounmehr whose telephone number is 571 272 3739. The examiner can normally be reached on 9 hrs Mon-Fri, off Monday biweekly.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2439

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Farid Homayounmehr/
Examiner
Art Unit 2439